

PATENT

Attorney Docket 054824-5001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Katherine M. Burnett *et al.*)

Application No. 10/722,134)

Art Unit: 1617)

Filed: November 26, 2003)

Examiner: Gregory Mitchell)

For: Anhydrous Topical Skin Preparations)

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FOR RESPONSE

1. Transmitted herewith is a Response Under 37 C.F.R. § 1.111 in response to the non-final Office Action dated June 15, 2005.
2. Additional Papers Submitted:
(i) Information Disclosure Statement
(ii) Form PTO-1449 (2 pages)
3. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an additional extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account 50-0310.
4. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	78	minus	20	58	\$50 each=	2,900.00
Independent Claims	3	minus	3	0	\$200 each=	0.00
First presentation of Multiple dependent claim					\$360.00	360.00
Sub-total =						3,260.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$3,260.00

5. Fee Payment: The Commissioner is hereby authorized to charge **\$3,440.00** to Deposit Account No. 50-0310 for payment of the additional total claims fee (\$2,900.00), the first presentation of a multiple dependent claim fee (\$360.00), and the Information Disclosure Statement Fee (\$180.00).

6. Constructive Petition: Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **August 1, 2005**

Morgan, Lewis & Bockius LLP

Customer No. **09629**

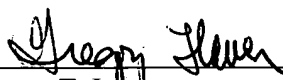
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202-739-3000

Respectfully submitted,

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